

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

By way of this reply, claims 1-24 are cancelled without prejudice or disclaimer. Claims 25-31 were withdrawn by the Examiner as being directed to a non-elected invention. Claims 32-62 are newly added. Of the newly added claims, claims 32, 57, and 60 are independent. The remaining claims depend, directly or indirectly, from claims 32, 57, and 60.

Claim Amendments

By way of this reply, claims 32-62 are newly added to clarify Applicant's contribution to the art. New claims 32-62 have been added. Support for new independent claims 32, 57, and 60 may be found, for example, in paragraph [0073] and Figure 1-2 of the present application. Support for new dependent claim 33 may be found, for example, in paragraph [0127]. Support for new dependent claim 34 may be found, for example, in paragraph [0114]. Support for new dependent claims 35-36, 41-42, and 58 may be found, for example, in paragraph [0140]. Support for new dependent claims 37-38 may be found, for example, in paragraph [0159]. Support for new dependent claim 39 may be found, for example, in paragraph [0087]. Support for new dependent claim 40 may be found, for example, in paragraph [0074]. Support for new dependent claims 43, 47, and 62 may be found, for example, in paragraph [0082]. Support for new dependent claims 44-46 may be found, for example, in paragraph [0313]. Support for new dependent claims 48-49 may be found, for example, in paragraph [0089]. Support for new dependent claim 50-51 may be found, for example, in paragraph

[0301]. Support for new dependent claim 52 may be found, for example, in paragraph [0305]. Support for new dependent claim 53 may be found, for example, in paragraph [0318]. Support for new dependent claim 54 may be found, for example, in paragraph [0319]. Support for new dependent claim 55 may be found, for example, in paragraph [0325]. Support for new independent claim 57 may be found, for example, in paragraph [0038]. Support for new dependent claim 59 may be found, for example, in paragraph [0179]. Support for new dependent claim 61 may be found, for example, in paragraph [0244].

Thus, no new matter has been added by way of adding new claims 32-62, and accordingly, entry and favorable treatment of new claims 32-62 is respectfully requested.

Rejections under 35 U.S.C. § 101

Claims 1-24 stand rejected under 35 U.S.C. § 101 for being directed toward non-statutory subject matter. Claims 1-24 are cancelled by way of this reply. Accordingly, this rejection is now moot. Withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. § 112

Claim 9 stands rejected under 35 U.S.C. § 112, paragraph 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claim 9 is cancelled by way of this reply. Accordingly, this rejection is now moot. Withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-2 and 6-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,334,103 B1 ("Surace"). Claims 1-2 and 6-22 are cancelled by way of this

reply. Accordingly, this rejection is now moot. Withdrawal of the rejection is respectfully requested.

With respect to newly added claims 32-62, claims 32-62 relate to a computer system and method for speech communications managing synchronous conversations between the user and at least one application. Claim 32 is directed to constructs configured to carry out a conversation for use by the automatic speech recognition system, among other things. Claim 32 requires the data speech constructs comprise prompts and grammars stored in notation independent form. Further, the specification explains that the grammar may be in a format that is independent of the syntax used by at least one automatic speech recognition system (See, specification paragraph 51).

Surace, in contrast, does not teach grammars stored in a notation independent form. Surace merely teaches a grammar comprising multiple phrases that a virtual assistant with a personality can recognize (See, Surace claim 42). Consequently, Surace fails to teach each and every element of claim 32. Accordingly, claim 32 is patentable over Surace.

Claim 57 requires checking whether each parameter in the parameter set has a value and, if not, playing to the user a prompt to elicit a response for a next empty parameter. Surace, in contrast, detects failures (See, Surace Figure 6, block 604), and seeks to achieve a negative comment that casts blame on a third party for the failure (See, Surace column 9 lines 51-61). Surace merely teaches an anxiety reducing method of interacting with a user. Consequently this aspect of Surace fails to teach the claim 57 recited feature.

Claim 57 requires checking whether each parameter in the parameter set has a value and, if not, playing to the user a prompt to elicit a response for a next empty parameter. Further in contrast to claim 57, Surace teaches context-sensitive help (See, Surace, column 10 lines 51-57). However, Surace merely teaches informing the user of the present state of the

user's session and available options. Surace does not teach, the claim 57 recited "checking whether each parameter in the parameter set has a value and, if not, playing to the user a prompt to elicit a response for a next empty parameter." Consequently, for this additional reason Surace fails to teach claim 57.

Claim 60 requires checking whether each parameter in the parameter set has a value and, if not, playing to the user a prompt to elicit a response for a next empty parameter. For the reasons stated in relation to claim 57, Surace fails to teach this feature. Accordingly claim 60 is allowable.

Claim 63 requires, "a grammar design tool comprising a tools container comprising a library of grammar objects, a text box for entry of text to update or create grammar objects, and a display portion." Surace, in contrast, is directed to controlling a voice user interface to provide a voice user interface with personality. In particular, Surace teaches selecting a prompt based on situations, such as the user's experience. Consequently, the claim 63 recited feature is not taught by Surace. Accordingly, claim 57 is believed allowable.

Surace is silent with respect to waiting for parameter names with values to be returned by the automatic speech recognition system, as required, for example, in claim 57. In addition, Surace is also silent concerning matching the user input parameter names in at least one parameter in a parameter set associated with the detected phrase and populating empty parameters with appropriate values from the user input speech.

Accordingly, new claims 32-62 are patentable over Surace for at least the above reasons.

Rejection under 35 U.S.C. §103

Claims 3-5 and 23-24 stand rejected under 35 U.S.C. §103(a) as being obvious over Surace in view of U.S. Patent No. 6,418,440 B1 (“Kuo”). Claims 3-5 and 23-24 are cancelled by way of this reply. Accordingly, this rejection is now moot. Withdrawal of the rejection is respectfully requested.

Claim 32 requires the data speech constructs comprise prompts and grammars stored in notation independent form. Kuo is entirely silent on the subject of grammars stored in notation independent form. Moreover, Kuo actually teaches away from the use of the claim 32 recited grammars stored in notation independent form. Kuo teaches grammars with associated vocabularies and syntactic structure (See Kuo column 8, lines 37 and 38). As explained earlier, grammar in notation independent form is in a format that is independent of the syntax used by at least one automatic speech recognition system. Consequently, one of ordinary skill in the art would not be motivated to supply that which is lacking in Surace with the teachings of Kuo. Accordingly, claim 32 is patentable in view of Surace in view of Kuo.

Claim 57 requires, inter alia, “checking whether each parameter in the parameter set has a value and, if not, playing to the user a prompt to elicit a response for a next empty parameter.” As explained above, Surace failed to teach this feature. In addition, Kuo also fails to teach this feature. Kuo teaches that dialogue-related parameters may include, for example, audio and/or textual prompts, and help states (See Kuo column 8 lines 36 and 37). In addition application-related parameters may be rules for performing sets of possible actions (Kuo column 8 lines 38-43). In the first instance, Kuo merely teaches that parameters are prompts or states. In the second instance, Kuo merely teaches that a parameter may be a rule. Nowhere does Kuo check, as claim 57 recites, whether each parameter in the parameter set has a value.” Nor does Kuo teach the claim 57 recited, “playing to a user a prompt to elicit a response for a next empty

parameter.” Consequently, Kuo fails to supply this feature, which also is not present in Surace. Accordingly, claim 57 is not obvious in view of Kuo in view of Surace.

Claim 60 requires checking whether each parameter in the parameter set has a value and, if not, playing to the user a prompt to elicit a response for a next empty parameter. For the reasons stated in relation to claim 57, Surace fails to teach this feature. In addition, for reasons stated in relation to claim 57, Kuo also fails to teach this feature. Accordingly claim 60 in view of Surace in view of Kuo is allowable.

Claim 63 requires, “a grammar design tool comprising a tools container comprising a library of grammar objects, a text box for entry of text to update or create grammar objects, and a display portion.” As explained earlier, Surace fails to teach this feature. In addition, Kuo fails to teach a grammar design tool.

Accordingly, new claims 32-62 are patentable over Surace in view of Kuo for at least the above reasons.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 17087/002001).

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Respectfully submitted,

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